

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile No.: (702) 949-8321
Telephone: (702) 949-8320

Rob Charles NV State Bar No. 006593
E-mail: rcharles@lrlaw.com
Susan M. Freeman AZ State Bar No. 004199
E-mail: sfreeman@lrlaw.com
John Hinderaker AZ State Bar No. 018024
Email: jhinderaker@lrlaw.com

Attorneys for USACM Liquidating Trust

**E-Filed on
12/27/07**

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND,
LLC,

USA SECURITIES, LLC,

Debtors,

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case
No. BK-S-06-10725-LBR

Judge Linda B. Riegle Presiding

**NOTICE OF SUBPOENA DUCES TECUM
(No Appearance Required)**

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

PLEASE TAKE NOTICE that the deposition will be taken upon oral examination of the person whose name is stated below at the time and place stated below or at any time to which it may be continued, before an officer authorized by law to administer oaths. However, should you chose to produce the requested documents prior to this time and date, your appearance will not be required.

PERSON TO BE EXAMINED:

**Custodian of Records
Mountain Funding, LLC**

DATE AND TIME OF DEPOSITION:

January 23, 2008 at 10:00 a.m.

1 PLACE OF DEPOSITION:

Lewis and Roca LLP
One South Church
Tucson, Arizona 85701

2
3
4 Deponent is required to bring documents identified in the attached Exhibit A.

5 RESPECTFULLY SUBMITTED December 27, 2007.

6
7 **LEWIS AND ROCA LLP**

8
9 By /s/ RC (#6593)

10 Susan M. Freeman, AZ 4199 (*pro hac vice*)
11 Rob Charles, NV 6593
12 John Hinderaker, AZ 18024 (*pro hac vice*)
13 *Attorneys for USACM Liquidating Trust*
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 COPY of the foregoing served via
2 e-mail where an e-mail address is
3 listed, and if no e-mail address is listed,
then by first class, postage paid US mail,
this 27th day of December, 2007 addressed to:

4 Dan S. Palmer, Jr.
c/o Palmer Investments, Inc.
5 Los Valles Land & Golf LLC
233 Wilshire Blvd., Suite 800
6 Santa Monica, CA 90401-1207

7 Peter J. Mort, Esq.
Bruce Jacobs, Esq.
8 Akin Gump Strauss Hauer & Field LLP
2029 Century Park East, Suite 2400
9 Los Angeles, CA 90067
Attorneys for Los Valles Land & Golf LLC

10 Pauline Ng Lee, Esq.
11 Scott D. Fleming, Esq.
Hale Lane Peek Dennison and Howard
12 3930 Howard Hughes Parkway, 4th Floor
Las Vegas, NV 89169
13 Attorneys for Los Valles Land & Golf LLC

14 /s/ Renee L. Creswell

15 Renee L. Creswell
16 Lewis and Roca LLP